IN THE EXECUTIVE ETHICS COMMISSION OF THE STATE OF ILLINOIS

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IN RE:

EBONIE DAVIS,

OEIG Case #17-00724

OEIG FINAL REPORT (REDACTED)

Below is a final summary report from an Executive Inspector General. The General Assembly has directed the Executive Ethics Commission (Commission) to redact information from this report that may reveal the identity of witnesses, complainants or informants and "any other information it believes should not be made public." 5 ILCS 430/20-52(b).

The Commission exercises this responsibility with great caution and with the goal of balancing the sometimes-competing interests of increasing transparency and operating with fairness to the accused. In order to balance these interests, the Commission may redact certain information contained in this report. The redactions are made with the understanding that the subject or subjects of the investigation have had no opportunity to rebut the report's factual allegations or legal conclusions before the Commission.

The Commission received this report from the Governor's Office of Executive Inspector General ("OEIG") and a response from the agency in this matter. The Commission, pursuant to 5 ILCS 430/20-52, redacted the final report and mailed copies of the redacted version and responses to the Attorney General, the Governor's Executive Inspector General, and to Ebonie Davis at her last known address.

The Commission reviewed all suggestions received and makes this document available pursuant to 5 ILCS 430/20-52.

FINAL REPORT

I. INTRODUCTION

On April 27, 2017, the OEIG received a complaint alleging that a Cook County State's Attorney's Office (CCSAO) employee contacted Illinois Department of Human Rights (IDHR) Institute for Training and Development (ITD) Instructor/Facilitator¹ Ebonie Davis to arrange a training for staff. The complaint added that Ms. Davis requested that the CCSAO employee conduct all further communications using Ms. Davis' personal email account, and that Ms. Davis stated she would be charging a \$200 fee for the training.

¹ Although Ms. Davis' official title is ITD Instructor/Facilitator, this report will instead identify Ms. Davis by the title "Trainer," as ITD [Administrator] referred to the position as such during her OEIG interview.

II. BACKGROUND

A. IDHR Institute For Training And Development Overview

The IDHR ITD "offers a wide range of trainings related to the Illinois Human Rights Act and workplace trends centered on issues of discrimination in the workplace." Throughout the year, ITD offers complimentary trainings that are open to the public, and provides trainings for private sector and government entities throughout Illinois. The ITD provides trainings on topics such as conflict resolution; diversity awareness; working effectively across generational lines; inter-cultural communication; sexual harassment prevention; and harassment in the workplace.

B. Review Of Relevant Policies

The IDHR Administrative Policy and Procedures Manual states that an IDHR employee may hold outside employment⁴ as long as:

- 1) the employment does not interfere with the employee's normal job duties and responsibilities;
- 2) if performed, it would not create an appearance of impropriety or reflect unfavorably upon the employee or IDHR;
- 3) it would not involve the employee in a conflict of interest, real or potential, or in the appearance of such a conflict;
- 4) the employee does not compete with IDHR services throughout the State of Illinois;
- 5) the employment does not involve the use of information secured as a result of working at IDHR;
- 6) the employee does not use equipment issued or available to him or her from IDHR in the outside employment; and
- 7) the employee receives prior approval from his or her supervisor, Division Manager, and the agency's Ethics Officer.⁵

The policy adds that "employees may not engage in any commercial endeavor or enterprise

² https://www.illinois.gov/IDHR/Training/Pages/default.aspx (last visited November 20, 2017).

⁴ IDHR's Policy and Procedures Manual does not define "secondary employment," nor does it provide examples of what constitutes "secondary employment." However, IDHR's "Request for Approval of Secondary/Outside Employment" form asks employees to "Describe the outside employment (e.g., self-employment, type of business, name of employer, nature of personal responsibilities, on-going consultant contract, teaching for a community college, etc.)."

⁵ Illinois Department of Human Rights, *Administrative Policy and Procedures Manual*, Chapter II Section K: Secondary/Outside Employment (revised December 1, 2013).

including self-employment, during regular working hours."6

III. INVESTIGATION

A. Summary Of Relevant Events

During the investigation, the OEIG obtained and reviewed numerous documents, including emails and documents related to trainings ITD Trainer Ebonie Davis provided and was planning to provide to the CCSAO staff in 2016 and 2017; correspondence between Ms. Davis and various CCSAO employees; and select documents from Ms. Davis' IDHR personnel file. In addition, investigators interviewed former CCSAO [Employee 1] and current employee [Employee 2] regarding the office's interactions with Ms. Davis.⁷

During her interview, CCSAO [Employee 1] stated that in May 2016, she contacted Ms. Davis to determine if Ms. Davis could conduct training on cultural competency at a June 2016 seminar for the CCSAO Domestic Violence division. [Employee 1] informed investigators that in contacting Ms. Davis, she was seeking for Ms. Davis to provide the training in her capacity as a State of Illinois IDHR employee. [Employee 1] further recalled that after she explained what subject matter the CCSAO was specifically looking for with respect to the training, Ms. Davis informed her that she could not conduct the training because ITD did not provide training on the topic requested. [Employee 1] stated that soon thereafter, she contacted Ms. Davis again and asked whether Ms. Davis could develop and teach the training as an independent contractor. [Employee 1] stated that Ms. Davis agreed, and on May 3, 2016, she provided the training for the CCSAO.8 A review of relevant invoices and bank records revealed that the CCSAO paid Ms. Davis \$200 for this training. The relevant CCSAO invoice also indicates that the invoice was for "sexual assault diversity" training.9 After Ms. Davis agreed to provide this training as an independent contractor, all communications with the CCSAO were conducted through her personal email account.

According to CCSAO [Employee 2], in March 2017, she emailed Ms. Davis at her State of Illinois email address to ascertain whether Ms. Davis could provide "Cultural Competency" training at the CCSAO's May 5, 2017 Domestic Violence division seminar. [Employee 2] said she was unaware that Ms. Davis had previously provided training for the CCSAO as an independent consultant rather than as an IDHR employee, and informed investigators that she was seeking to have Ms. Davis provide the 2017 training in her capacity as an IDHR employee. A review of emails revealed that the following day, Ms. Davis replied to [Employee 2], stating that she would be able to conduct the training, and asked [Employee 2] to use her personal email address for future correspondence. Further emails revealed that over the following weeks, Ms.

⁶ *Id*.

⁷ [Employee 1] was interviewed on August 24 and September 12, 2017; [Employee 2] was interviewed on August 15, 2017.

⁸ A review of Ms. Davis' DHR timesheets revealed that on that date, she took two hours of leave time from her regularly scheduled work hours. Specifically, a handwritten timesheet provided to the OEIG by IDHR indicates that Ms. Davis took two hours of vacation time on Friday, June 3, 2016 from 12:30pm to 2:30pm. After her OEIG interview, Ms. Davis provided investigators with a copy of an electronic IDHR "official leave request" indicating that she took two hours of personal time on June 3, 2016 rather than vacation time.

⁹ The invoice obtained from the CCSAO includes a handwritten note referring to the training as "sexual assault diversity" training; however, the invoice the CCSAO provided to Ms. Davis does not contain this handwritten note.

Davis communicated with [Employee 2] and other CCSAO employees regarding the proposed training, and completed paperwork necessary for her engagement. During these various communications, Ms. Davis stated that she would be presenting on "Cultural Competency in the Workplace," and that her fee for the training would be \$200. According to [Employee 2], after questions arose about the cost of Ms. Davis' services, Ms. Davis cancelled her presentation for the CCSAO. A review of emails confirmed that Ms. Davis cancelled her presentation on April 28, 2017.

After learning the above information, the OEIG also reviewed several months' worth of Ms. Davis' emails and bank records, and spoke with various entities Ms. Davis provided training for through IDHR in an effort to determine whether she conducted outside training for any additional entities besides the CCSAO. The investigation did not reveal evidence that Ms. Davis provided outside training for any other entities.

B. Interview Of IDHR [Administrator]

On September 19, 2017, investigators interviewed IDHR [Administrator]. [Administrator] stated that she has been the [redacted] for approximately 10 years, and is [redacted]. [Administrator] stated that the ITD is responsible for conducting trainings for public and private entities on topics related to the Illinois Human Rights Act throughout the State. [Administrator] said that DHR provides training to all governmental agencies for free.

[Administrator] stated that the ITD uses 13 training modules to conduct presentations on topics such as sexual harassment prevention, harassment in the workplace, and diversity awareness. [Administrator] stated that the ITD's diversity awareness training is similar to a cultural competency or cultural diversity training, and is sometimes referred to as cultural competency training. [Administrator] said the purpose of the diversity awareness training is to talk about diversity-related issues as they relate to the workplace, such as generations in the workplace, and how individuals perceive things differently, all in an effort to find commonality for a more harmonious and productive workplace.

[Administrator] stated that while the ITD provides training on diversity and cultural competency, it could not provide a diversity or cultural competency training that had an emphasis on domestic violence or sexual assault issues because it does not provide training on either domestic violence or sexual assault. [Administrator] stated that if an entity contacted the ITD and requested training that is not covered by one of its 13 modules, ITD would reply that the training is not offered, and the conversation would usually end.¹¹

[Administrator] stated that the ITD has two trainers, [Trainer 1] and Ms. Davis. [Administrator] said Ms. Davis has been an ITD trainer since approximately May 2013. [Administrator] said that in March or April 2017, she learned that Ms. Davis had conducted a

¹⁰ Ms. Davis' proposed PowerPoint presentation for the May 5, 2017 CCSAO seminar, entitled "Cultural Competency in the Workplace: Working Effectively through a Cultural Lens," is included as Attachment A.

¹¹ [Administrator] said the ITD can also merge parts of its training modules into a hybrid class to fit the needs of an entity, but it does not have the ability to create a completely customized training. [Administrator] said an example of a hybrid training would be if an entity wanted training on both diversity and harassment issues.

training for the CCSAO in 2016 on a topic that ITD does not provide trainings on, and had been paid a fee for her presentation. [Administrator] said she learned that Ms. Davis had also arranged to conduct another training for the CCSAO in 2017, again for a fee. [Administrator] stated that these were not official ITD trainings. [Administrator] stated that Ms. Davis does not have authority to conduct trainings as an independent contractor, and has never asked [Administrator] for approval to obtain or hold secondary employment. [Administrator] added that "there is no circumstance that I can think of where I would agree to her—or, either of the trainers—going out and having secondary employment as a trainer."

[Administrator] was shown a copy of Ms. Davis' proposed 2017 CCSAO presentation, and was informed of the topics Ms. Davis presented on at the 2016 CCSAO seminar. [Administrator] stated that while the ITD does not offer domestic violence or sexual assault trainings, the programs the CCSAO sought were a combination of those topics and cultural competency, which is a training that ITD offers. [Administrator] said that when the CCSAO contacted Ms. Davis seeking such a training in 2016, "the answer should have been no," "because there is a diversity awareness component or a cultural competency component to it, and the training itself is too closely related to what she does on a day-to-day basis." [Administrator] stated that "there is no situation where a trainer should be going out training on diversity awareness issues because that's what they do at the Department of Human Rights, and there's no entity that we couldn't reach through the trainings with the Department." [Administrator] stated that Ms. Davis would be precluded from securing approval for outside employment to teach a class on cultural competency, even as it relates to domestic violence or sexual assault, as doing so would violate IDHR's secondary/outside employment policy for several reasons, including that she would be competing with IDHR's services, and conducting trainings independently of IDHR would involve her in a conflict of interest or in the appearance of a conflict of interest.¹²

C. Interview Of IDHR Institute For Training And Development Trainer Ebonie Davis

On November 2, 2017, investigators interviewed Ebonie Davis. Ms. Davis stated that she has been an IDHR employee since 2008, and has been an ITD trainer since 2013. Ms. Davis said her duties as a trainer include developing training modules that are directly related to the Illinois Human Rights Act, and presenting those training modules to private and public entities, including state, city, and county government agencies. Ms. Davis stated that the ITD has approximately eight training modules that they conduct training on, including on topics such as bullying, harassment, sexual harassment, and diversity. Ms. Davis said the ITD offered a "cultural communication" course in 2016, and now offers a "cultural diversity/cultural competency" course which she herself developed around August 2017. Ms. Davis said the ITD does not provide training on domestic violence or sexual assault.

¹² [Administrator] said she believes that Ms. Davis holding secondary employment as a trainer would also: interfere with her normal job duties and responsibilities, and create an appearance of impropriety or reflect unfavorably on her or IDHR. [Administrator] said that such secondary employment may also involve the use of information secured as a result of her working at IDHR, and added that she "would be more than certain" that part of the materials Ms. Davis used or the experiences she would talk about would have something to do with the trainings that ITD conducts every day.

Ms. Davis confirmed that she has never requested approval for secondary employment while at IDHR, whether by completing a form or asking her supervisor for permission. Ms. Davis said that she had not been familiar with IDHR's secondary employment policy until October 27, 2017, and believed she could work a second job without needing approval from IDHR so long as the secondary employment was unrelated to her position at IDHR. Ms. Davis said she believed this based on her understanding of information contained in the "conflict of interest" portion of the State's annual Ethics Training.

Ms. Davis acknowledged that in 2016, she spoke at an event for the CCSAO and was paid \$200 to do so. Ms. Davis explained that in early 2016, CCSAO [Employee 1] contacted her about conducting sexual assault training at a June 2016 seminar for the CCSAO's Domestic Violence division. Ms. Davis said that the ITD does not offer training on sexual assault, so after speaking with [redacted], [Administrator], about the request, she informed [Employee 1] that she could not provide the training. Ms. Davis stated that [Employee 1] later contacted her again and inquired if Ms. Davis could speak at the seminar as an independent consultant. Ms. Davis said she agreed, completed necessary paperwork for the CCSAO, and spoke at the seminar on June 3, 2016. Ms. Davis said that after [Administrator] informed her that she could not provide the training for the CCSAO through the ITD, she used her personal email account to correspond with the CCSAO, prepared for the presentation outside of her normal IDHR work hours, and did not use ITD course materials or equipment for the presentation. Ms. Davis added that she used two hours of leave time in order to conduct the presentation, which occurred during her normal working hours.

Ms. Davis stated that her 2016 CCSAO presentation was on "Cultural Competency at the Intersections." Ms. Davis explained that the focus of the presentation was "intersectionality," which means looking at individuals from their multiple lenses and seeing how those lenses intersect. Ms. Davis stated that the CCSAO was not looking for a presentation on diversity, and [Employee 1] said nothing about it being diversity-related. Ms. Davis added that [Employee 1] also said nothing about the presentation being a "training." Ms. Davis stated that she would have said no to a request for any diversity-related training.

Ms. Davis confirmed that the CCSAO contacted her again in 2017 and asked her to present at another seminar. Ms. Davis said that CCSAO [Employee 2] emailed her at her IDHR email address and invited her to present on cultural competency at the CCSAO's Domestic Violence training seminar on May 5, 2017 from 1:00 p.m. to 1:45 p.m. Ms. Davis said that she planned to conduct this speaking engagement as an independent contractor rather than an IDHR employee because it was going to be less than one hour. Ms. Davis explained that because of this, she requested that [Employee 2] use her personal email address for future correspondence, and planned to use leave time in order to attend. Ms. Davis said she did not think she informed anyone of her plan to speak at the seminar, and said that if she did, it would just have been her telling [Administrator] that it was occurring rather than seeking permission to do so.

Ms. Davis stated that she prepared a PowerPoint presentation for the 2017 seminar entitled,

¹³ Ms. Davis stated that she believes that a speaking engagement is different than a training. Ms. Davis said a speaking engagement is a maximum of one hour, while a training is usually two to three hours. Ms. Davis said there is also a difference in content, as IDHR speakers can speak on anything agency-related in addition to Illinois Human Rights Act topics.

"Cultural Competency in the Workplace: Working Effectively Through a Cultural Lens." Ms. Davis said she created the PowerPoint and other documents for the presentation at her own residence, and did not use IDHR equipment to create it. Ms. Davis added that her presentation did not contain any IDHR material. Ms. Davis stated that she did not think speaking on cultural competency at the 2017 CCSAO seminar would be a conflict of interest because the ITD did not provide a cultural competency training at that time.

Ms. Davis said that she ultimately did not speak at the CCSAO's June 2017 seminar. Ms. Davis said that while she told [Employee 2] that "due to the event being one week away and there being no confirmation surrounding payment, I have scheduled another engagement and must regretfully decline invitation to your event," not receiving payment was not the primary reason she cancelled her presentation. Ms. Davis said she instead cancelled the presentation because she was not sure the CCSAO still wanted her to speak.

Ms. Davis stated that the CCSAO presentations were the only paid engagements she has ever done as an independent contractor. Ms. Davis said that she did not think she needed to submit a secondary employment request form or obtain approval to speak at either of the CCSAO seminars because she did not believe they qualified as employment as they were educational and funded through a grant, and because she examined whether the presentations the CCSAO requested would present a conflict of interest with her IDHR work and determined they would not because the ITD did not provide the type of trainings the CCSAO had requested and the CCSAO was looking for a speaker rather than a trainer. Ms. Davis said that had the CCSAO requested a topic the ITD provides training on, there would be a conflict of interest and she would not have presented for the CCSAO as an independent contractor. Ms. Davis added that she does not think the presentation she gave for the CCSAO in 2016 or her planned presentation in 2017 contained any component that ITD offers training on.

Ms. Davis said she did not think that her 2016 CCSAO speaking engagement or her planned 2017 CCSAO speaking engagement interfered with her normal job duties and responsibilities, and did not think speaking at these engagements would create an appearance of impropriety or reflect unfavorably on herself or IDHR. Ms. Davis added that she did not think speaking at either seminar would create a conflict of interest, real or potential, or the appearance of a conflict of interest, and did not think that in providing either training she was or would be competing with IDHR services.

IV. ANALYSIS

The IDHR Administrative Policy and Procedures Manual says that an IDHR employee may hold outside employment as long as certain criteria are met, including that:

- the employee does not compete with IDHR services throughout the State of Illinois;
- the employment does not involve the employee in a conflict of interest, real or potential, or in the appearance of a conflict of interest;

- the employment does not interfere with the employee's normal job duties and responsibilities; and
- the employee receives approval from his or her supervisor, Division Manager, and the agency's Ethics Officer.

On June 3, 2016, IDHR ITD Trainer Ebonie Davis gave a presentation entitled "Cultural Competency at the Intersections" for the CCSAO Domestic Violence division. Ms. Davis conducted this training as an independent contractor, and was paid \$200 for her services. Ms. Davis did not seek or receive approval from her supervisor, Division Manager, or IDHR's Ethics Officer to obtain or hold this outside employment. In 2017, Ms. Davis was again asked to present a training on cultural competency at a June 2017 CCSAO Domestic Violence division seminar, and she agreed to do so as an independent contractor. Ms. Davis said that she planned to present as an independent contractor rather than an IDHR employee because per the invitation, the engagement was going to be less than one hour. Ultimately, this training did not take place. Ms. Davis did not seek or receive approval from her supervisor, Division Manager, or IDHR's Ethics Officer for either of these outside engagements. According to [Administrator], [redacted], Ms. Davis did not have the authority to conduct these trainings nor would [Administrator] have approved her to do such trainings.

Ms. Davis said she did not think she needed to submit a secondary employment request form or obtain approval to speak at either of the CCSAO seminars for several reasons. According to Ms. Davis, she did not believe that the CCSAO training presented a conflict of interest with respect to her work at IDHR because the ITD did not provide the type of trainings requested. First, determining whether this outside engagement was a conflict of interest or had the appearance of a conflict of interest should have been IDHR's decision, not an assessment by the person seeking outside employment. Second, although ITD does not offer training on domestic violence or sexual assault, the ITD *does* offer trainings on diversity—a topic very closely related to and often used interchangeably with cultural competency, a key component in the trainings requested by the CCSAO. Although Ms. Davis may not believe that giving a presentation that involves cultural competency conflicts with her duties as an ITD trainer, [Administrator] opined that presenting on cultural competency—even in the context of sexual assault or domestic violence—"is too closely related to what [Ms. Davis] does on a day-to-day basis." The OEIG agrees.

Ms. Davis also stated that she did not think she needed to submit a secondary employment request form or obtain approval to speak at either of the CCSAO seminars because the CCSAO was looking for a speaker rather than a trainer, and because the seminars were educational and funded through a grant. However, the IDHR secondary employment policy does not provide for exceptions, whether based on the nature of the employment, the source of compensation, or anything else. It is undisputed that Ms. Davis provided a service as an independent contractor for the CCSAO, and that she was paid for her service; whether Ms. Davis' presentations were trainings or speaking engagements, were educational or recreational, or were funded by grants or other sources, does not negate the requirements of secondary employment policy.

Ultimately, as an IDHR employee, Ms. Davis was required to seek and obtain approval from her supervisor, Division Manager, and Ethics Officer to present for the CCSAO as an

independent contractor in 2016 and 2017, and should have let those individuals determine whether doing so was allowable. Ms. Davis admittedly did not seek or obtain such approval. Accordingly, the allegation that Ebonie Davis violated DHR's secondary employment policy by failing to obtain approval to hold secondary employment in 2016 and 2017, and by conducting a training on cultural competency for the CCSAO as an independent contractor in May 2016 is **FOUNDED**. ¹⁴

V. FINDING AND RECOMMENDATIONS

As a result of its investigation, the OEIG concludes that there is **REASONABLE CAUSE TO ISSUE THE FOLLOWING FINDING:**

➤ FOUNDED – Ebonie Davis violated DHR's secondary employment policy by failing to obtain approval to hold secondary employment in 2016 and 2017, and by conducting training on cultural competency for the CCSAO as an independent contractor in May 2016.

The OEIG recommends IDHR take whatever action it deems necessary with respect to Ms. Davis. In addition, the OEIG recommends that all IDHR employees be reminded of the agency's policies and procedures related to secondary employment, including the requirement that they seek and obtain approval before holding secondary employment, and the limitations that may prevent them from obtaining secondary employment while an IDHR employee.

No further investigative action is warranted and this case is considered closed.

Date: January 24, 2018

Office of Executive Inspector General for the Agencies of the Illinois Governor 69 W. Washington St., Suite 3400 Chicago, IL 60602

Colleen Thomas
Assistant Inspector General

Thomas Moriarty
Investigator #102

¹⁴ The OEIG concludes that an allegation is "founded" when it has determined that there is reasonable cause to believe that a violation of law or policy has occurred, or that there has been fraud, waste, mismanagement, misconduct, nonfeasance, misfeasance, or malfeasance.

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WORKING EFFECTIVELY THROUGH A CULTURAL LENS CULTURAL COMPETENCY IN THE WORKPLACE CERTIFIED INSTRUCTOR/FACILITATOR EBONIE S. DAVIS

MAY 5, 2017

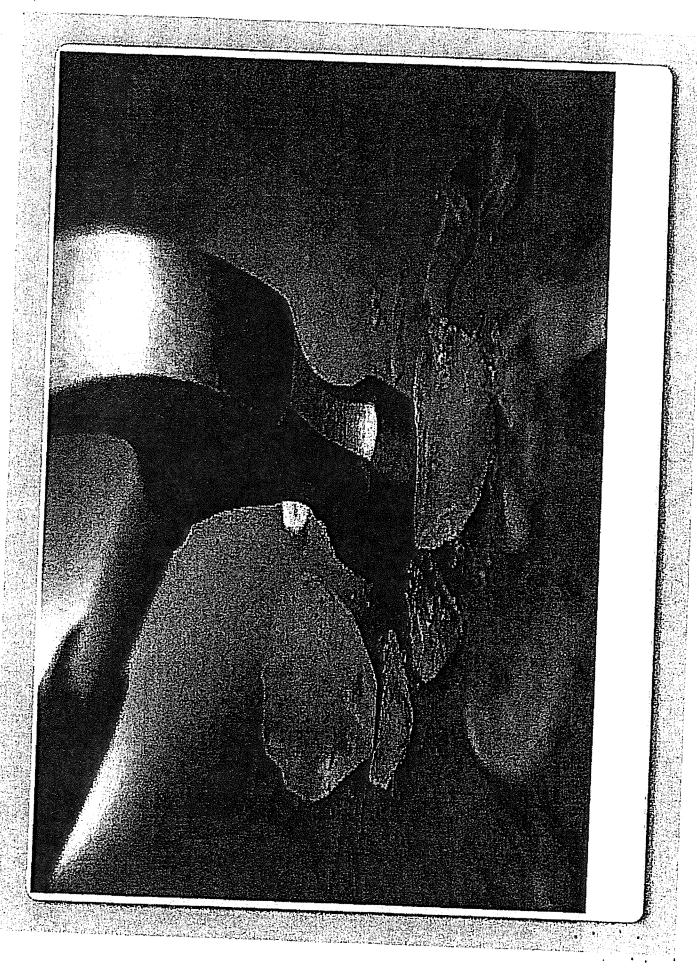
Millen and between cultures. He will learn that differences in of man is to survive, he will have learned to take a delight in Ine essential differences between Dalit of life's exciting variety, mot deas and attitudes are a delight, Something to fear."

Gene Roddenbern

। 🌃 elbreaker- Cultural Awareness Self Assessment Understand the Concept "Cultural Intelligence" Deline Cultural Competence

Discuss Cultural Competency General Tips Group Exercise



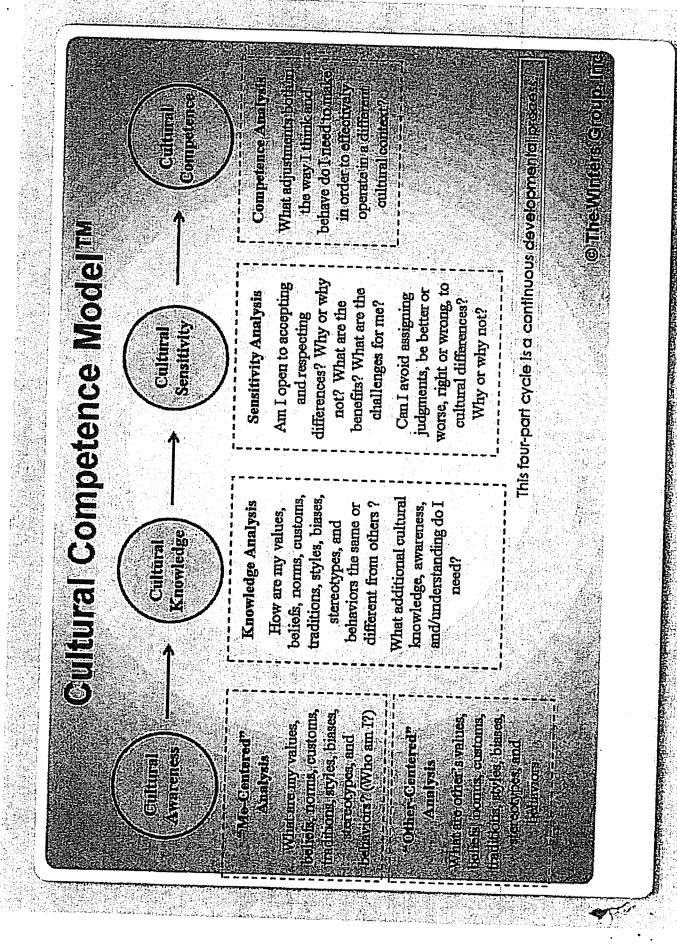


Gultural Competence, in brief, 18 the ability depends on awareness of one's OWn cultural worldview, knowledge of Deople from different cultures. This ability to interact effectively with towards cultural differences, and Worldviews, tolerant attitudes Other cultural practices and Cross-cultural skills.

Culture in United States history has evolved The historic evolution of the concept of Cultural Awareness.... from:

And now, Cultural Competence Cultural Sensitivity.....

SEIRS DELLA SHELLE



onkeffectively in culturally diverse situations. Goimg awaireness, it is important to identify the recurring eapabilities of individuals who can successfully and Devond existing notions of cultural sensitivity and Intelligence (EQ). It is the capability to relate and respectfully accomplish their objectives, whatever galltural Intelligence (CQ) is the natural evolutio 脈om Intelligence Quotient (IQ) and Emotional the cultural context. What is my level of nderstanding about the culture of the individuals that I am representing?

How do I manage the dynamics of privilege, bias (unconscious)

Cultural Competency General Tips

the workplace it is imperative that we leave our personal bias at the floor before entering the workplace. The first step to do this is Leave Your Personal Bias at the Door Human beings on am midividual basis are inclined to interpret situations in biased ways offen based on their cultural norms and beliefs. To be effective in ்சாந் aware!

Educate Yourself and Others by researching organizations reading books and articles about members of different cultural experiences and attending trainings and workshops. Once you have educated yourself about other cultures educate other and learn how ió be a good ally.

Use Inclusive Language that is free from words, phrases or for so that the first reflect prejudiced, stereotyped or discriminatory views of particular people or groups. It is also language that doesn't deliberately or inadvertently exclude people from being seen as

Cultural Competency General Tips

nomophobia, transphobia, and ableism. The process of learning how to limited as includes an understanding of how all of these forms of oppression a Be Aware of Your Privilege and Recognize Oppression as an inferseout

Have Discussions with other people about ways you can work against opposition and discrimination. Create "safe spaces" for open dialogue and

Interrupt the "isms" when you start to see them being perpenated in the workplace.

<u>confext—be aware of your physical presence in relation to the victim for ensurative</u> Monitor Your Physical Presence from a cultural and sexual vago

Stay Culturally Competent by committing to learning about a whole amon equinitial differences and developing cross-cultural skills.

Reference

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Wp://www.wintersgroup.com/



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AGENCY OR ULTIMATE JURISDICTIONAL AUTHORITY **RESPONSE FORM**

Case	Number: <u>17-00724</u>	Return 20 Days After Receipt
Pleas	se check the box that applies. (Please a	attach additional materials, as necessary.)
□ actio	We have implemented all of the OEIGns taken:	recommendations. Please provide details as to
×	We will implement some or all of the Olime to do so. We will report to OEIG within 30 do	EIG recommendations but will require additional ays from the original return date.
□ detail	We do not wish to implement some or a sas to what actions were taken, if any,	all of the OEIG recommendations. Please provide in response to OEIG recommendations:
		Chief Legal Courses, IL Dept. of Human Rights
Signa		Print Agency and Job Title
Mo	Name Madden	2/15/2018
- 11111 1	valle Madden	Date



March 15, 2018

Via e-mail to Fallon Opperman, Deputy Inspector General and Chief of Chicago Division, on behalf of:

Margaret A. Hickey, Executive Inspector General Office of Executive Inspector General 69 West Washington, Suite 3400 Chicago, Illinois 60602

Re: OEIG Case No. 17-00724 - Final Summary Report

Dear Executive Inspector General Hickey:

On January 24, 2018, the Office of the Executive Inspector General ("OEIG") provided a copy of the Final Summary Report for OEIG Case No. 17-00724 to the Illinois Department of Human Rights ("IDHR" or the "Department"). On February 15, IDHR requested a thirty-day extension to implement the OEIG's recommendations. This letter outlines the Department's plan to implement the OEIG's recommendations.

The Final Summary Report makes the following finding:

➤ FOUNDED — Ebonie Davis violated DHR's secondary employment policy by failing to obtain approval to hold secondary employment in 2016 and 2017, and by conducting training on cultural competency for the CCSAO as an independent contractor in May 2016.

Based on this finding, the OEIG recommends that:

> IDHR take whatever action it deems necessary with respect to Ms. Davis;

IDHR's Response:

IDHR will follow this recommendation. Specifically, IDHR is taking steps to discipline Ms. Davis. As you know, the disciplinary process is subject to the provisions of a Collective Bargaining Agreement between AFSCME and the State of Illinois, and will take some time for resolution. IDHR will provide your office with further information after completion of the disciplinary process.

> That all IDHR employees be reminded of the agency's policies and procedures related to secondary employment, including the requirement that they seek and obtain approval before holding secondary employment, and the limitations that may prevent them from obtaining secondary employment while an IDHR employee;

IDHR's Response:

CC:

IDHR will follow this recommendation. Specifically, IDHR is in the process of revising its Administrative Policies and Procedures Manual, Chapter II, Section K, to provide a description of what may be considered Secondary/Outside Employment, including a list of specific parameters for holding secondary employment, and to make it clear that an employee is required to obtain authorization by filling out and submitting a Secondary/Outside Employment form before accepting secondary employment. IDHR is also revising its Secondary/Outside Employment form so that it contains language that mirrors its policy. All IDHR employees will receive a copy of the new policy and form, along with written guidance on limitations that may prevent them from holding secondary employment.

As stated above, the Department will keep the OEIG apprised of disciplinary action taken with respect to Ms. Davis. In the meantime, should the OEIG have questions or need additional information, please contact me.

Very truly yours,

Mary M. (Betsey) Madden Chief Legal Counsel/Ethics Officer

Janice Glenn, IDHR Acting Director

Janice Glenn, Director

July 26, 2018

Via e-mail to Fallon Opperman, Deputy Inspector General and Chief of Chicago Division, on behalf of:

Susan Haling, Acting Executive Inspector General Office of Executive Inspector General 69 West Washington, Suite 3400 Chicago, Illinois 60602

Re: OEIG Case No. 17-00724 - Follow-Up Response to Final Summary Report

Dear Acting Executive Inspector General Haling:

On March 15, 2018, the Department of Human Rights ("IDHR" or "Department") provided a letter responding to the OEIG's Final Summary Report in the above-referenced investigation and outlining its plan to implement the OEIG's recommendations. This letter provides additional information in response to the Final Summary Report, which contained a finding that Ebonie Davis violated the Department's secondary employment policy.

Based on this finding, the Department held a pre-disciplinary meeting with Ms. Davis and her union representative on April 19, 2018, during which it presented a statement of disciplinary charges. Based on those charges, Ms. Davis served a suspension without pay for fifteen (15) calendar days, effective May 25, 2018 through June 8, 2018. Ms. Davis was also informed that any similar conduct in the future will result in more severe disciplinary action, up to and including discharge.

The Department considers this matter closed. Should the OEIG have questions or need any additional information, please contact me.

Very truly yours,

Mary M. (Betsey) Madden Chief Legal Counsel/Ethics Officer

cc: Janice Glenn, IDHR Director



IN THE EXECUTIVE ETHICS COMMISSION EXECUTIVE ETHICS COMMISSION

IN RE:	EBONIE DAVIS) #17-00724

RESPONDENT'S SUGGESTIONS FOR REDACTION / PUBLIC RESPONSE

Please check the appropriate line and sign and date below. If no line is checked, the Commission will not make your response public if the redacted report is made public.

Below is my public response. Please make this response public if the summary report is also made public; or

Below are my suggestions for redaction. I do not wish for these suggestions to be made public.

Respondent's Signature

Instructions: Please write or type suggestions for redaction or a public response on the lines below. If you prefer, you may attach separate documents to this form. Return this form and any attachments to:

Illinois Executive Ethics Commission 401 S. Spring Street, Room 513 Wm. Stratton Building Springfield, IL 62706

trong trimbi

1. INTRODUCTION

The State of Illinois Department of Employment Security distinguishes Employment and Contractor as such; Service performed by an individual for an employing unit, whether or not such individual employs others in connection with the performance of such services, shall be deemed to be employment unless and until it's proven in any proceeding where such issue is involved that:

- 1. Such individual has been and will continue to be free from control or direction over the performance of such services, both under his contract of service and in fact; and
- 2. Such service is either outside the usual course of the business for which such service is performed or that such service is performed outside of all the places of business of the enterprise for which such service is performed; and
- 3. Such individual is engaged in an independently established trade, occupation, profession, or business.

2. BACKGROUND

On January 24, 2018, the OEIG rendered a Finding and Recommendation for OEIG Case #17-00724. The finding rendered states, "Ebonie Davis violated DHR's secondary employment policy by failing to obtain approval to hold secondary employment in 2016 and 2017, and by conducting training on cultural competency for the CCSAO as an independent contractor in May 2016.

The OEIG recommends IDHR take whatever action it deems necessary with respect to Ms. Davis. In addition, the OEIG recommends that all IDHR employees be reminded of the agency's policies and procedures related to secondary employment, including the requirement that they seek and obtain approval before holding secondary employment, and the limitations that may prevent them from obtaining secondary employment while an IDHR employee.

3. COMPLAINT (APPEAL)

The OEIG's Finding and Recommendations for OEIG Case #17-00724 is conclusory!

A. The OEIG failed to substantiate how I "violated DHR's secondary employment policy by failing to obtain approval to hold secondary employment in 2016 and 2017."

In review of the OEIG Final Report, Section II Background: B. Review of Relevant Policies, Footnote #4, the OEIG indicates, "IDHR's Policy and Procedures Manual does not define "secondary employment," nor does it provide examples of what constitutes "secondary employment." However, IDHR's "Request for Approval of Secondary/Outside Employment" form asks employees to "Describe the outside employment (e.g., self-employment, type of business, name of employer, nature of personal responsibilities, on-going consultant contract, teaching for a community college, etc.)."

The OEIG had full knowledge that IDHR's Administrative Policy and Procedures Manual, Chapter II Section K: Secondary/Outside Employment policy (revised December 1, 2013) (EXHIBIT A):

- 1) Does not define secondary employment;
- 2) Does not provide examples of what constitutes secondary employment and;
- 3) Does not have a procedure for requesting approval for any IDHR employee wishing to hold secondary/outside employment.

Due to the lack of these three (3) components, the policy is ambiguous and appears to leave the onus on the employee to determine whether they are participating in secondary/outside employment or not.

Furthermore, the OEIG referred to IDHR's "Request for Approval of Secondary/Outside Employment" form (revised December 20, 2013) (EXHIBIT B), despite having full knowledge that said form was/is not a component of IDHR's Administrative Policy and Procedures Manual (revised December 1, 2013) (EXHIBIT C) neither is it a part of Chapter II Section K: Secondary/Outside Employment of IDHR's Administrative Policy and Procedure's Manual (revised December 2013). The OEIG failed to substantiate and/or provide evidence that I had knowledge of the IDHR "Request for Approval of Secondary/Outside Employment" form. As I stated to the OEIG during the interview and as indicated on Page 6. of the OEIG Case #17-00724 Final Report, I had no knowledge of IDHR's "Request for Approval of Secondary/Outside Employment" form until October 27, 2017. The form, revised 19 days AFTER the revision of IDHR's Administrative Policy and Procedures Manual (revised December 1, 2013), is NOT in said manual and HAS NEVER been distributed agency wide to employees. Additionally, when I asked the OEIG during the interview, how was the form made available to IDHR employees, the OEIG could not answer! Furthermore, In March 2018, after IDHR received the OEIG Case #17-00724 January 24, 2018, Final Report, IDHR's Chief Legal Counsel, Betsey Madden revised the "IDHR Secondary Employment Policy March 2018 and IDHR Secondary Employment Policy Form March 2018" (EXHIBIT D); in accordance with the OEIG Case #17-00724 Final Report Recommendations and distributed both documents to all IDHR employees via email on March 19, 2018.

Additionally, the OEIG had full knowledge that I never engaged in any speaking engagement in 2017. In the OEIG Case #17-00724 Final Report, IV Analysis, it is the testimony of the OEIG that, "Ultimately, this training did not take place." Considering that I never presented at the CCSAO in 2017, nor did I receive payment from the CCSAO for a service that was never provided to the CCSAO in 2017, it is safe to surmise that I did not violate DHR's secondary employment policy by failing to obtain approval to hold secondary employment in 2017 because I never presented/spoke at the CCSAO in 2017!

B. The OEIG failed to substantiate that I "conducted training on cultural competency for the CCSAO as an independent contractor in May 2016."

The OEIG had full knowledge that I never conducted a training on cultural competency for the CCSAO as an independent contractor or never engaged in ANY speaking engagement in May 2016. The OEIG provided no evidence that I conducted training on cultural competency or any other subject for the CCSAO allegedly in May 2016; and most pointedly, the OEIG failed to substantiate with evidence, a date or time in May of 2016 that I allegedly conducted a training on cultural competency for the CCSAO in May 2016. In accordance with 5 ILCS 430/20-20(1), the OEIG is limited to investigating misconduct that occurred within one (1) year of the submission of the complaint. According to the OEIG, it received a Complaint on April 27, 2017, which allowed them jurisdiction to investigate an allegation in May 2016. It is my belief that the OEIG wanted to set a precedence of a series of violations because they had full knowledge that I did not engage in a speaking engagement for the CCSAO in 2017, therefore, they selected a month, May 2016, close to the one (1) year statute of limitation of April 27, 2017 (date of the complaint against me) to have jurisdiction to investigate the allegations!

C. The OEIG failed to conduct a complete and impartial investigation.

In review of the Page 3 of the OEIG Final Report, Section III Investigation: A. Summary of Relevant Events, the OEIG indicates, that "During her interview, CCSAO [Employee 1] stated that in May 2016, she contacted Ms. Davis to determine if Ms. Davis could conduct training on cultural competency at a June 2016 seminar for the CCSAO Domestic Violence Division. [Employee 1] informed investigators that in contacting Ms. Davis, she was seeking for Ms. Davis to provide the training in her capacity as a State of Illinois IDHR employee. [Employee 1] further recalled that after she explained what subject matter the CCSAO was specifically looking for with respect to the training, Ms. Davis informed her that she could not conduct the training because ITD did not provide training on the topic requested. [Employee 1] stated that soon thereafter, she contacted Ms. Davis again and asked whether Ms. Davis could develop and teach the training as an independent contractor. [Employee 1] stated that Ms. Davis agreed, and on May 3, 2016, she provided the training for the CCSAO. A review of relevant invoices and bank records revealed that the CCSAO paid Ms. Davis \$200 for this training. The relevant CCSAO invoice also indicates that the invoice was for "sexual assault diversity" training. The OEIG's Footnote #9 indicates, "The invoice obtained from the CCSAO includes a handwritten note referring to the training as "sexual assault diversity" training; however, the invoice the CCSAO provided to Ms. Davis does not contain this handwritten note."

- 1) The OEIG failed to review my email correspondence with CCSAO [Employee 1] (Exhibit E) which clearly shows that after I informed CCSAO [Employee 1] that I could not facilitate her discussion, I ended all further communication. I never initiated communication with CCSAO [Employee 1]. Furthermore, IDHR [Administrator] testified to the fact that ITD could not offer the training. As I stated to the OEIG during the interview, CCSAO [Employee 1] reached out to me via email on May 3, 2016 (Exhibit E), to assist her by facilitating an hour-long panel on cultural competency. When CCSAO [Employee 1] finally connected on a conference call she indicated that she wanted me to facilitate a 45-minute panel discussion on the topic of cultural competency as it directly relates to sexual assault and domestic violence on behalf of ITD. I explained to her that I would have to discuss her request with my IDHR [Administrator] and get back with her. After speaking with my IDHR [Administrator], she stated that I would not be able to speak on behalf of ITD because the requested time is 45 minutes which is less than ITD's minimum training time of 2 hours and because the request is outside of IDHR's purview. On May 13, 2016, I emailed (Exhibit E) CCSAO [Employee 1] and informed her that I would not be able to facilitate the discussion and ended the conversation. Shortly after, CCSAO [Employee 1] emailed me (Exhibit E), but I did not respond to her email.
- 2) If the OEIG had reviewed Exhibit E, they would have asked CCSAO [Employee 1] how was it possible that I provided a training for the CCSAO on May 3, 2016, when she initially reached out to me on May 3, 2016 and I didn't reply until May 13, 2016 informing her that I could not assist. Exhibit E further substantiates the fact that it is impossible that I substantiate that "conducted training on cultural competency for the CCSAO as an independent contractor in May 2016," as the OEIG founded!
- 3) When the OEIG saw that there was a discrepancy in a handwritten note, "sexual assault diversity" training on the invoice, the OEIG failed to follow up with the CCSAO for clarification regarding what the invoice was for and if I had knowledge of the handwritten note. As indicated in the OEIG's Footnote #9, the OEIG was fully aware that I never received an invoice from the CCSAO with a handwritten note, "sexual assault diversity" training. Additionally, in my interview, I informed the OEIG that the CCSAO was not looking for a presentation on diversity, and [Employee 1] said nothing about it being diversity related. I also added that [Employee 1] also said nothing about the presentation being a "training."

In review of the Page 4 of the OEIG Final Report, Section III Investigation: B. Interview of IDHI [Administrator] indicates, "[Administrator] stated that while the ITD provides training on diversity and cultural competency, it could not provide a diversity or cultural competency training that had an emphasis on domestic violence or sexual assault issues because it does not provide training on either domestic or sexual assault [Administrator] stated that if an entity contacted the ITD and requested training that is not covered by one of its 13 modules, ITD would reply that the training is not offered, and the conversation would usually end. "The OEIG's Footnote #11 indicates, "[Administrator] said that ITD can also merge parts of its training modules into a hybrid class to fit the needs of an entity, but it does not have the ability to create a completely customized training...[Administrator] stated that in March or April 2017, she learned that Ms. Davis had conducted a training for the CCSAO in 2016 on a topic that ITD does not provide trainings on and had been paid a fee for her presentation.

1) When the OEIG received the testimony of IDHR [Administrator] who stated that "in March or April 2017, she learned that Ms. Davis had conducted a training for the CCSAO in 2016 on a topic that ITD does not provide trainings on and had been paid a fee for her presentation;" the OEIG never asked IDHR [Administrator] to explain why the topic that I spoke on in 2016, was completely unrelated to any topics that ITD provides trainings on. If the OEIG asked IDHR [Administrator] to clarify her statement, it would have proven that I did not engage in a conflict of interest with IDHR. Furthermore, had the OEIG reviewed a copy of my June 3, 2016 presentation from the CCSAO, they would have seen that I did in fact present on Intersectionality through the lens of sexual assault and domestic violence which is 100% unrelated to IDHR/ITD. Additionally, the June 3, 2016 presentation would have corroborated my testimony during my interview when I stated to the OEIG that, my "2016 CCSAO presentation was on "Cultural Competency at the Intersections." I explained that "the focus of the presentation was "intersectionality," which means looking at individuals from their multiple lens and seeing how those lenses intersect."

Lastly, the OEIG failed to conduct a complete and impartial investigation because when Special Investigator, Thomas Moriarty began questioning me about the \$200's received from the CCSAO in 2016, I informed him that it was a stipend paid through the CCSAO grants program for speaking on June 3, 2016 and it was not employment. Investigator Moriarty then proceeded to say, "If you needed the money, just say that, we rather you be truthful with us now." I reiterated again that it was a stipend and not employment. He then said, "why do you continuously insist on referring to the payment as a stipend? Did you claim it on your taxes?" I said, "I did not claim it on my taxes, I did not complete a W-2, and I did not receive a 1099; therefore, it is not employment, it was as stipend." Furthermore, when Special Investigator Moriarty reviewed IDHR's Secondary Employment policy with respect to 2016 and 2017, he consistently used "speaking engagement" until he asked one (1) question in particular, "In providing this training, did you compete with IDHR services through the State?" Throughout the interview, I consistently stated that I did not provide a "training" I participated in a speaking engagement. Due to the line of Investigator Moriarty's questioning and the implication that I provided a training through his question of "In providing this training, did you compete with IDHR services through the State?" I felt that he could not be impartial regarding this investigation and had his mind made up that the allegations would be founded regardless if the ALL of the evidence disproved the allegations!

4. CONCLUSION

In conclusion, it is evident based on the information I provided in this complaint (appeal), the OEIG's Finding and Recommendations for OEIG Case #17-00724 is conclusory! The OEIG had insufficient information to definitively render a Finding and Recommendation of FOUNDED in this case! The OEIG didn't merely fail to substantiate that I "violated DHR's secondary employment policy by failing to obtain approval to hold secondary employment in 2016 and 2017"; they also failed to substantiate that I "conducted a training on cultural competency for the CCSAO as an independent contractor in May 2016." Most importantly, the unprofessional and discriminatory comment; "If you needed the money, just say that, we rather you be truthful with us now." stated by OEIG Special Investigator Thomas Moriarty; in addition to his other comments and questions are not only a direct violation of the Administrative Code Section 1620.300(c)(8)(A), they attested to the fact that the OEIG was conducting a biased and impartial investigation! I pray that this Honorable Executive Ethics Commission reviews my complaint (appeal) with neutrality and require the OEIG to re-open its investigation of this case and to make me whole by rescinding its January 24, 2018, Finding and Recommendations of Founded and issue the appropriate Finding of UNFOUNDED and NO Recommendation of discipline to IDHR! Thank you.

Humbly Submitted,

Ebonie S. Davis September 20, 2018

- **EXHIBIT A-** IDHR Administrative Policy and Procedures Manual, Chapter II Section K: Secondary/Outside Employment policy (revised December 1, 2013).
- EXHIBIT B- IDHR Request for Approval of Secondary/Outside Employment form (revised December 20, 2013).
- EXHIBIT C- IDHR Administrative Policy and Procedures Manual Table of Contents and Index (revised December 1, 2013).
- EXHIBIT D- IDHR Chief Legal Counsel, Betsey Madden's March 19, 2018, email to all IDHR Staff with the attached revised IDHR Secondary Employment Policy March 2018 and IDHR Secondary Employment Policy Form March 2018.
- **EXHIBIT E-** My May 3, 2016-May 13, 2016, email correspondence with CCSAO [Employee 1].



Section K: Secondary/Outside Employment

It is the policy of the Illinois Department of Human Rights (IDHR) that employees are not precluded from holding secondary/outside employment, so long as -

- a. It does not interfere with their normal job duties and responsibilities;
- b. If performed, would not create an appearance of impropriety or reflect unfavorably upon the staff or the IDHR; and
- It would not involve the employee in a conflict of interest, real or potential, or in the appearance of such a conflict;
- d. Employee receives prior approval from the supervisor, Division Manager and the Ethics Officer.

Other limitations include but are not limited to the following:

- Employees shall not compete with IDHR services throughout the State of Illinois.
- Employees may not hold outside employment if such employment involves the use of information secured as a result of working at the IDHR.
- c. Employees may not use equipment issued or available to them from IDHR in any outside employment nor may they use IDHR premises to conduct secondary/outside employment.

Employees may not engage in any commercial endeavor or enterprise including self-employment, during regular working hours.

ILLINOIS DEPARTMENT OF HUMAN RIGHTS Request for Approval of Secondary/Outside Employment

(name)		(title)
Request approval for secondary/our	tside employment as	
		,
Describe the outside employment responsibilities, on-going consultant	(e.g., self-employment, type of t contract, teaching for a commu	business, name of employer, nature of personal inity college, etc.
NOTE: Approval of outside employr	ment must occur before the em	ployment begins.
The request secondary/outside emweekends) time. It will not be performance of assigned Departmer	erformed during my regular w	uring my furlough or non-working (evenings or vorking hours. It will not adversely affect the
further attest that the duties of	the secondary/outside employi use information received as a r	e with my IDHR unfavorably upon the IDHR. I ment will be not compete with IDHR services esult of working for IDHR, and that I will not use ary/outside employment.
	ry/outside employment does no	ot represent a potential conflict of interest with
*		
Employee	Date	- -
	•	Recommend
Supervisor	 Date	Not Recommended
		Recommend
		Not Recommended
Division Manager	Date	
		Denied
thics Officer		Approved
LIILS UIILEI	Date	



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Davis, Ebonie

(Exhibit D)

From:

Madden, Betsey M.

Sent:

Monday, March 19, 2018 5:08 PM

To:

IDHR. Chicago. Staff; IDHR. Spring field. Staff; IDHR. Marion. Staff

Subject:

Revised Secondary/Outside Employment Policy and Form

Attachments:

IDHR Secondary Employment Policy March2018.pdf; IDHR Secondary Employment

Policy Form March2018.pdf

Dear IDHR Staff:

Attached is the Department's revised policy regarding Secondary/Outside Employment and revised Request for Approval of Secondary/Outside Employment form. The attached, revised policy will replace the existing policy found in the IDHR Administrative Policy and Procedures Manual, Chapter II, Section K.

Among other changes, the policy provides a definition and examples of outside employment. Please read the policy carefully and review the approval form, completion of which is required before beginning any outside employment.

Prior to requesting approval for outside employment, please consider the following questions, in addition to the policy: whether the employment can be performed entirely outside of your work hours; whether the employment will interfere with your IDHR job duties; whether the employment poses any conflict with your work at IDHR, or even an appearance of a conflict; whether the outside employment can be performed without use of State equipment; and whether the employment can be performed without information secured as a result of your position at IDHR.

If you already have received approval for outside employment using previous versions of the form, you are not required to complete the form again. However, you must adhere to the updated policy.

Please let me know if you have any questions about the attached documents, or approval of outside employment.

Thank you,

Betsey

Mary M. (Betsey) Madden
Chief Legal Counsel & Ethics Officer
Illinois Department of Human Rights
100 West Randolph, Ste. 10-100
Chicago, IL 60601
(312) 814-3386 (telephone)
(312) 339-9599 (cellular)
(312) 814-1436 (fax)
Betsey.M.Madden@illinois.gov

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Section K: Secondary/Outside Employment

Secondary or outside employment means working in any other job for compensation, apart from employment with the Illinois Department of Human Rights (IDHR). Examples of outside employment may include, but are not limited to, self-employment, consulting or teaching. IDHR employees are not precluded from holding outside employment, so long as it does not interfere with their normal job activities and responsibilities and is not determined to be a conflict of interest.

It is the policy of IDHR that employees will be permitted to hold secondary/outside employment so long as:

- The employment is performed outside their scheduled IDHR work hours, or on approved time off, and does not interfere with their normal job duties and responsibilities;
- b. Performance of the outside employment would not create an appearance of impropriety or reflect unfavorably upon IDHR or its staff;
- c. The outside employment would not involve the employee in a conflict of interest, real or potential, or in the appearance of such a conflict:
- d. The outside employment would not result in the employee competing with IDHR services;
- The outside employment would not involve the use of information secured as a result of working at IDHR;
- f. The outside employment would not involve the use of equipment issued to or available to the employee from IDHR, or the use of IDHR premises;
- g. The employee receives prior approval from the supervisor, Division Manager and the Ethics Officer for the outside employment.

Any IDHR employee wishing to hold secondary/outside employment must complete a Request for Approval of Secondary/Outside Employment form and submit it to their immediate supervisor. Upon evaluation and recommendation by the supervisor and Division Manager, the form will be submitted to the Ethics Officer for denial or approval. The employee will be notified, and a completed copy will be provided to Human Resources for inclusion in the employee's personnel file.

Note: Approval of outside employment must occur before the employment begins.

ILLINOIS DEPARTMENT OF HUMAN RIGHTS

Request for Approval of Secondary/Outside Employment

		Title:_	•
Describe t summary o	he outside employment of job duties, start date o	t, including but not limited of employment, and week	
l attest that	this requested seconda	ary/outside employment:	
•	Will be performed a		OHR work hours, or on approved time off, and will desponsibilities:
•			riety or reflect unfavorably upon IDHR;
•	Will not present a conflict;	conflict of interest, re	eal or potential, or the appearance of such a
•	Will not result in m	ny competing with IDHF	3 services:
•			tained because of working at IDHR; and
•	Will not involve the	e use of equipment issue of IDHR premises.	ued to or available to me because of working
			e or work performance deteriorates or if the duties I for outside employment may be rescinded. Ist occur before the employment begins.
Employee			
-mployee		Date	
			Recommend
Supervisor		Date	Not Recommended
			Recommend
			. .
Division Mana	ager [*]	Date	Not Recommended
Division Mana	ager ·	Date	Not RecommendedDeniedApproved

Revised March 2018

Davis, Ebonie



From:

Angela Koon (States Attorney) < Angela. Koon@cookcountyil.gov>

Sent:

Friday, May 13, 2016 3:36 PM

To:

Davis, Ebonie

Subject:

Re: Cultural Competency training?

Categories:

IMPORTANT

Hi Ebonie,

Thanks for getting back to me.

We do have the ability to pay presenters, so if that changes things let me know. It would be for one hour presentation and for prep.

Thanks again!

Cheers, Angela

Angela Koon

Project Coordinator
VOICES Campus Initiative
Cook County State's Attorney's Office

Pronouns: She/Her

69 W. Washington St., Suite 3200

Chicago, IL 60602 Office: 312.603.2296

angela.koon@cookcountyil.gov

From: Davis, Ebonie < Ebonie. Davis@Illinois.gov>

Sent: Friday, May 13, 2016 2:16:26 PM To: Angela Koon (States Attorney)

Subject: RE: Cultural Competency training?

Hey Angela. My apologies for my delayed response--I have been out of the office. Unfortunately, after speaking with my Manager, I won't be able to facilitate the discussion. The needs are outside of the scope of what we do for unpaid trainings. We do have the ability to tailor trainings to the needs of our clients, but they pay for our services—I'm sorry. If there is anything else that I can do to assist, please feel free to reach out!

Ebonie S. Davis
Certified Instructor/Facilitator
State of Illinois Department of Human Rights
Institute for Training and Development
100 W. Randolph Street, Suite 10-100
Chicago, IL 60601
Email- ebonie.davis@illinois.gov

Office- (312) 814-2536 Cell- (312) 848-2594 Fax- (312) 814-2397

From: Angela Koon (States Attorney) [mailto:Angela.Koon@cookcountyil.gov]

Sent: Tuesday, May 03, 2016 2:19 PM

To: Davis, Ebonie

Subject: Re: Cultural Competency training?

Yes, can I call you at 3pm?

Angela Koon

Project Coordinator VOICES Campus Initiative

Cook County State's Attorney's Office

Pronouns: She/Her

69 W. Washington St., Suite 3200

Chicago, IL 60602 Office: 312.603.2296

angela.koon@cookcountyil.gov

From: Davis, Ebonie < Ebonie.Davis@Illinois.gov>

Sent: Tuesday, May 3, 2016 11:31:59 AM

To: Angela Koon (States Attorney)

Subject: RE: Cultural Competency training?

Good morning Angela! Please tell Kelly I said thank you! Are you available today for a quick phone call to flesh out the details?

Ebonie S. Davis

Certified Instructor/Facilitator

State of Illinois Department of Human Rights

Institute for Training and Development

100 W. Randolph Street, Suite 10-100

Chicago, IL 60601

Email- ebonie.davis@illinois.gov

Office- (312) 814-2536

Cell- (312) 848-2594

Fax- (312) 814-2397

From: Angela Koon (States Attorney) [mailto:Angela.Koon@cookcountyil.gov]

Sent: Tuesday, May 03, 2016 8:44 AM

To: Davis, Ebonie

Subject: Cultural Competency training?

Hi Ebonie,

Kelly Saulsberry passed along your email as I worked closely with CHHR in my former role as the LGBT/HC specialist.

I am charged with putting together a hour long panel on cultural competency and wanted to see if this is something you would be interested in facilitating.

I can give you more details if you are interested and available on June 3.

Let me know your thoughts.

Thank you for your time.

Cheers, Angela

Angela Koon

Project Coordinator VOICES Campus Initiative Cook County State's Attorney's Office

Pronouns: She/Her

69 W. Washington St., Suite 3200

Chicago, IL 60602 Office: 312.603.2296

angela.koon@cookcountyil.gov



January 7, 2019

Via e-mail to Fallon Opperman, Deputy Inspector General and Chief of Chicago Division, on behalf of:

Susan Haling, Acting Executive Inspector General Office of Executive Inspector General 69 West Washington, Suite 3400 Chicago, Illinois 60602

Re: OEIG Case No. 17-00724 - Follow-Up Response to Final Summary Report

Dear Acting Executive Inspector General Haling:

On March 15, 2018, and July 26, 2018, the Department of Human Rights ("IDHR" or "Department") provided letters in response to the OEIG's Final Summary Report in the above-referenced investigation and outlining its plan to implement the OEIG's recommendations. This letter provides additional information in response to the Final Summary Report, which contained a finding that Ebonie Davis violated the Department's secondary employment policy.

Based on the OEIG's finding, Ms. Davis served a suspension without pay for fifteen (15) calendar days, effective May 25, 2018 through June 8, 2018. Ms. Davis filed a grievance, which was resolved on January 4, 2019. The resolution provides that the 15-day suspension shall be reduced to an 8-day suspension and that Ms. Davis shall be made whole for the 7 days restored.

The Department considers this matter closed. Should the OEIG have questions or need any additional information, please contact me.

Very truly yours,

Mary M. (Betsey) Madden Chief Legal Counsel/Ethics Officer

cc: Janice Glenn, IDHR Director



OFFICE OF EXECUTIVE INSPECTOR GENERAL FOR THE AGENCIES OF THE ILLINOIS GOVERNOR

69 WEST WASHINGTON STREET, SUITE 3400 CHICAGO, ILLINOIS 60602 (312) 814-5600

CONFIDENTIAL

December 21, 2018

Ebonie S. Davis 2811 E. 76th Street, Unit 1 Chicago, IL 60649

Re: OEIG Complaint #17-00724

Dear Ms. Davis:

The OEIG is in receipt of the documentation you sent to Ms. Haling yesterday. Please be advised that our office referred your documentation to the Executive Ethics Commission, pursuant to 2 Ill. Admin. Code §1620.300(c)(2), since you are alleging, among other things, misconduct by OEIG staff.

Please be advised that any appeal you wish to make of your discipline related to this matter must go through your agency and its grievance process, rather than our office.

Sincerely,
Susan M. Haling
Acting Executive Inspector General

By: ______
Fallon Opperman
Deputy Inspector General and Chief